

# **Iowa Department of Human Services**

## **SOCIAL SERVICES BLOCK GRANT**

### **PRE-EXPENDITURE REPORT**

July 1, 2010 - June 30, 2011

#### **Public Comment Period:**

**June 9 to 23, 2010**

Charles Krogmeier, Director  
Iowa Department of Human Services

Jan Clausen, Deputy Director for Administration  
Iowa Department of Human Services

*Reviewed & Approved By:*

*Jan Clausen*  
Jan Clausen  
DHS Deputy Director for Administration

*6/24/10*  
(Date)

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## CERTIFICATIONS

Certifications -- Attached at the end of the Final SFY 2011 Pre-Expenditure Report
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The Social Services Block Grant Pre-Expenditure Report is prepared by:

Iowa Department of Human Services  
Division of Fiscal Management  
Hoover State Office Building  
Des Moines, IA 50319-0114  
Phone: (515) 281-6085

## **OVERVIEW**

The Iowa Department of Human Services (DHS) provides a variety of social services to help individuals and families improve their lives. This report outlines those services funded with federal Social Services Block Grant funds and related state funds during the 2011 state fiscal year that begins July 1, 2010 and ends June 30, 2011.

## **GOALS**

Iowa's intended use plan for its SSBG allocation is to advance one or more of the following SSBG goals:

- Achieving or maintaining economic self-support to prevent, reduce, or eliminate dependency;
- Achieving or maintaining self-sufficiency, including reduction or prevention of dependency;
- Preventing or remedying neglect, abuse, or exploitation of children and adults unable to protect their own interests, or preserving, rehabilitating or reuniting families;
- Preventing or reducing inappropriate institutional care by providing for community-based care, home-based care, or other forms of less intensive care;
- Securing referral or admission for institutional care when other forms of care are not appropriate, or providing services to individuals in institutions

## **LEGAL REQUIREMENTS**

The federal government established the Social Services Block Grant (SSBG) in the Omnibus Budget Reconciliation Act of 1981 (Public Law 97-35). The SSBG replaced the previous federal social services program known as Title XX, and gave the states substantial discretion in the use of block grant funds. The SSBG funds must be spent according to requirements in the Code of Federal Regulations, Title 45, Part 96 as amended.

The Iowa regulations, which apply to SSBG eligibility for services and their delivery, are found in the Iowa Administrative Code, Section 441, Chapters 130 (General Provisions) and 153 (Social Services Block Grant). In addition, the Code of Iowa also covers social services in the "Administrative Procedures Act" (Chapter 17A), "The Department of Human Services" (Chapter 217), and "Child and Family Services" (Chapter 234).

## **POLICY ON NONDISCRIMINATION**

It is the policy of the Iowa Department of Human Services to provide equal treatment in employment and provision of services to applicants, employees and clients without regard to race, color, national origin, sex, religion, age, disability, political belief or veteran status

If any applicant for or recipient of services has reason to believe DHS or any of its vendors, providers, or contractors have discriminated against him or her for any of the reasons stated above, the person may use the discrimination complaint procedures of the following agencies:

(1) Iowa Department of Human Services; (2) the Iowa Civil Rights Commission (if a person feels he or she was treated differently because of his or her race, creed, color, national origin, sex, religion, or disability); or (3) the U.S. Department of Health and Human Services, Office for Civil Rights. For assistance or consultation the person may contact a DHS office, a member of the DHS Affirmative Action committee, or:

Iowa Civil Rights Commission  
Grimes State Office Building  
400 E. 14th Street  
Des Moines, IA 50319-1004  
Phone: 515-281-4121  
Toll Free: 1-800-457-4416  
Fax 515-242-5840

U.S. Department of Health and Human Services  
Office for Civil Rights, Region VII  
601 East 12th Street, Room 248  
Kansas City, Missouri 64106

## **APPLICATION FOR SERVICES**

A person may request service at any DHS office. The request will be acted upon within 30 days of the date the application form is completed unless otherwise indicated in the Iowa Administrative Code. For local purchase services, a person may also apply at the Central Point of Coordination. There is no fee for application, however there may be a cost to the client for services that are received based upon income.

## **ELIGIBILITY**

To be eligible for a service a person must be found to need the service and be a resident of the state of Iowa. For some services, financial eligibility may also be required. To be financially eligible, the family income must fall within the income guidelines in Table 1.

Persons who qualify for an income maintenance program such as the Family Investment Program (FIP), Supplemental Security Income (SSI), or State Supplemental Assistance (SSA) are considered financially eligible.

For local purchase services to be provided through an approved county management plan, eligibility is based upon the criteria established in this plan. A copy of the county management plan may be obtained from the county or the DHS Division of Mental Health and Disability Services. For local purchase services without an approved county management plan, eligibility is based upon eligibility criteria established in the last approved county management plan.

TABLE 1	
FAMILY INCOME TABLE	
<u>Family Size</u>	<u>Monthly Gross Income For Services</u>
1	583
2	762
3	942
4	1121
5	1299
6	1478
7	1510
8	1546
9	1581
10	1612
*	*Add \$33 for each additional person over 10

## CHANGES TO THE PRE-EXPENDITURE REPORT

An amendment process makes it possible to respond to changing needs throughout the year. Any decision to add a service, stop a service or change the period of time a service is available is publicly posted in the full-time DHS offices.

Most of these amendments are posted for 30 days before the change takes place. However, if funding is not available to continue a service, an amendment may take effect as soon as it is posted.

## PUBLIC PARTICIPATION

The public comment period for the proposed state fiscal year 2011 pre-expenditure report was from June 9 through June 23, 2010. Public notices are posted to provide the public opportunity to submit comments. No comments were received during the public comment period.



## GLOSSARY OF TERMS

Note: The definitions in this glossary are brief descriptions of block grant funded services. The full legal definitions may be found in the Iowa Administrative Code, Section 441.

**Adult Support** - Community assistance services, individual treatment services, social contact services and supervisory services. These services encourage and assist adults to obtain or more fully use community services that promote health and well-being.

**Case Management (Social Casework)** - Means working with the client to: a) assess and identify individual and family strengths and needs, b) develop a case plan to provide appropriate supports and services, c) implement the case plan using community resources, d) coordinate and monitor the provision of services, e) evaluate client progress and the case plan to determine continued need for services, and f) plan for discharge.

**Central Administration** - Administrative direction and coordination for all programs and services provided by the Department, including program planning, policy formulation, budget formulation, purchasing, accounting, data processing and systems development to generate provider payments.

**Child and Family Services** - The Child and Family Services appropriation provides funds for services to children and families and for activities to support those services. Services are designed to protect children from abuse and neglect, prevent out-of-home placement, provide temporary foster care for children unable to remain in their own homes, and provide permanent homes for children who cannot return home. SSBG funds are used for intact family centered services, family preservation services, and foster care services (i.e., family foster care, group care, and shelter care).

**County Administration** - The portion of the cost of maintaining a local office, which is reimbursed to the county.

**DHS** - The Iowa Department of Human Services.

**Dependent Adult Protection** - (Protective Services - Adults) A service in which a DHS worker provides an evaluation of a reported abuse of a dependent adult which occurred because of the actions or omissions of caretakers or of dependent adults themselves. Some examples of abuse are non-accidental physical injury, sexual abuse, inadequate food, clothing, shelter or items necessary for the dependent adult's health and welfare. This service also includes providing or arranging for intervention or court referral that remedies an actual or potential abuse problem.

**Intact Family Centered Services** - These services are designed to protect children from abuse and neglect, and to improve family stability. These services use a comprehensive approach and are adapted to the individual needs of children and their families in the intensity and duration of service delivery and are intended to improve overall family functioning.

**Family-Life Home** - (Foster Care Services - Adults) A program for adults who want and need family living. The department certifies provider families who furnish a home for not

more than two clients at a time, giving them room, board, laundry and encouragement to share in family living and participate in the social, cultural, educational, religious and other activities of the community.

**Family Preservation** - This service provides intense, time-limited service to families in crisis to protect child safety and to prevent out-of-home placement and improve family functioning.

**Field Operations** - The DHS service delivery system provided through field workers who deliver and coordinate an array of social services and economic assistance to children and families through department offices located in each county. Field Operations also includes the eight service area administrators and the Field Operations Support Unit who support the field workers.

**Foster Care Services/Child** – Foster care is designed to protect child safety and to ensure children have a permanent family. The DHS worker provides foster care service by arranging for and monitoring substitute 24-hour care for a child while working to achieve a permanent placement for the child. The caregiver provides food, lodging, training, and supervision in a foster family home, group care facility, or shelter care facility. Services may be purchased from private agencies. SSBG, Medicaid, and state funds are used for the services. Maintenance is funded from state and IV-E funds.

**Local Purchase** - Residential and other disability-related services as specified in an approved county management plan, which are provided to adults with mental illness, mental retardation, or a developmental disability.

**SSBG** - Funds provided by the federal government for social services described in Title XXIII, Subtitle C, "Block Grants for Social Services of the Omnibus Budget Reconciliation Act of 1981" of Public Law 97-35. SSBG stands for Social Services Block Grant.

**Volunteers** - The cost for an individual or agency to perform a variety of services in support of a structured volunteer program to enhance departmental programs. Services include volunteer recruitment, screening, orientation, recognition, training and other appropriate activities.

## **FUNDING**

Table 2 provides the estimated amounts and sources of funding anticipated for Social Services Block Grant related services in state fiscal year 2011.

**Table 2  
SOCIAL SERVICES BLOCK GRANT**

### **PROPOSED FUNDING BY SOURCE AND CATEGORY OF EXPENDITURE**

**SFY 2011**

	<b>FEDERAL</b>	<b>STATE</b>	<b>COUNTY</b>	<b>TOTAL</b>
<b>FIELD OPERATIONS</b>	13,004,668	12,528,239		25,532,907
<b>CENTRAL ADMINISTRATION</b>	1,839,498	1,259,904		3,099,402
<b>COUNTY ADMINISTRATION</b>	678,298		2,488,375	3,166,673
<b>CHILD &amp; FAMILY SERVICES</b>	1,647,298	11,580,022		13,227,320
<b>VOLUNTEERS</b>	74,261	84,660		158,921
<b>LOCAL PURCHASE</b>	12,465,259	0		12,465,259
<b>TOTAL</b>	29,709,282	25,452,825	2,488,375	57,650,482

#### **NOTES:**

Prepared by: Victoria Wiedemeier  
DHS-Fiscal Management  
June 7, 2010



**Table 3**  
**SOCIAL SERVICES BLOCK GRANT**  
**CATEGORIES OF EXPENDITURE**

Exp Report Line # and SSBG Service Name	IA DHS Budget Category	IA DHS Program/Service
2. Case Management	Field Operation	Case Management
21. Protective Services Adult	Field Operation	Dependent Adult Protection (Protective Services-Adult)
10. Foster Care-Adult	Field Operation	Family-Life Homes
31. Administrative Costs	• Central Administration	• Central Administration (General Administration)
	• County Administration	• County Administration (Local Agency Expenses)
11. Foster Care-Child	Child & Family Services	Foster Care
13. Home-Based Services	Child & Family Services	Intact Family Centered Services Family Preservation
29. Other Services	Volunteers	Volunteers
25. Special Services-Disabled	Local Purchase	Adult Residential Services (for persons with disabilities) Other Disability-Related Services as specified in an approved County Management Plan

This table displays the services that are funded within the categories of expenditure on Table 2 of the SSBG Proposed Funding in the Pre-Expenditure Report.

## **STANDARDS FOR LIVING ARRANGEMENTS FOR SSI RECIPIENTS**

Many of the people who use SSBG services are Supplemental Security Income (SSI) recipients. The following standards apply to residential facilities for these recipients.

Standards for Family Life Homes, corresponding to Foster Homes in Public Law 94-566, are the responsibility of the Iowa Department of Human Services. A Family Life Home is a private household offering a protective social living arrangement for one or two eligible adults. These standards, along with procedures for enforcement of these standards are contained in the Iowa Administrative Code 441--Chapter 111. There is no provision for waiving family life home standards. Homes which do not meet standards are either denied certification or the existing certification is revoked. A list of homes having violated these standards, including deficiencies involved in each violation which have come to the attention of the Iowa Department of Human Services, are available free from:

Iowa Department of Human Services  
Division of Adult, Children and Family Services  
Hoover State Office Building - 5th Floor  
Des Moines, Iowa 50319

Family Life Home standards include a section on definition of terms, procedures for application for certification, provisions of certification, requirements for certification pertaining to physical standards, personal characteristics of the family, health of family, activities for residents, medical requirements, eligibility requirements, confidentiality, placement agreements, and emergency care.

Standards for children's foster care facilities are the responsibility of the Iowa Department of Human Services. These facilities are licensed, certified, or approved by the Department as one of the following:

- Foster family home
- Community residential facility
- Comprehensive residential facility
- Residential facilities for children with developmental disabilities
- Juvenile shelter care homes

These standards are contained in Iowa Administrative Code 441--Chapters 105, 108, 112, 113, 114, 115, and 116.

A copy of the standards for each type of care, a list of facilities licensed or approved to provide each type of care, a checklist of compliance with the standards for each facility, a list of facilities with provisional licenses due to deficiencies and the deficiencies involved, are available free from:

Iowa Department of Human Services  
Division of Adult, Children and Family Services  
Hoover State Office Building - 5th Floor  
Des Moines, Iowa 50319

Children's foster care facilities standards include sections on definition of terms, procedures for application, physical standards, health of foster family or facility staff, required reference checks on the family or staff, record care, unannounced visits, rights of foster children and required services. Group care facilities also have requirements regarding drug policies; dental and medical services; dietary requirements; safety requirements; care plan review and revision; discipline; and staff qualifications.

The Social Services Block Grant Report for SFY 2009 includes local purchase services (see definition of local purchase in the "Glossary of Terms"). The following information on one of the local purchase services, adult residential services, is provided to meet the public notice requirements of the Keys Amendment. Standards for Residential Care Facilities are the responsibility of the Department of Inspections and Appeals. According to Iowa law, the standards cover facilities providing 24-hour care for three or more people for a period exceeding 24 or more consecutive hours. A copy of these standards and administrative rules for enforcement, criteria for variances for each rule, and a list of facilities having violated these standards, including deficiencies involved in each violation which have come to the attention of the Department of Inspections and Appeals, are available from:

Iowa Department of Inspections and Appeals  
Lucas State Office Building  
Des Moines, Iowa 50319

The standards for Residential Care Facilities include a section on definition of terms, provisions for variances, procedures for application for license, requirements on changes in facilities, duties and responsibilities for the administrator, health requirements of staff, personnel practices, admission, transfer and discharge policies, terms of contracts with residents, medical services to residents, records, care and personal services, rights of residents, drug policies, dental services, dietary requirements, social service programs, activities programs, care review, safety requirements, housekeeping procedures, requirements for maintenance, garbage disposal, laundry, buildings, equipment, furnishings and supplies.

Standards for Supported Community Living Services are the responsibility of the Iowa Department of Human Services. This is a program providing services and supervision for adults with mental illness, mental retardation or developmental disabilities to enable them to live in an apartment in the community.

The Division of Mental Health and Disability Services is responsible for the certification standards for the Supported Community Living Services program and for enforcement of these standards. A copy of the relevant administrative rules may be obtained by writing:

Iowa Department of Human Services  
Division of Mental Health and Disability Services  
Hoover State Office Building - 5th Floor  
Des Moines, Iowa 50319

Administrative rules for Supported Community Living Services specify an approval process for programs, procedures for assessment of compliance and denial or revocation of approval and

requirements for living arrangement and program of services. They also detail the standards for governance, administration, program and services and living arrangement and are found in Iowa Administrative Code 441, Chapter 24.

## **CERTIFICATIONS**

Attached at the end of the Final SFY 2011 Pre-Expenditure Report

Drug-Free Workplace Requirements

Environmental Tobacco Smoke

Lobbying

Debarment, Suspension and Other Responsibility Matters



## Administration for Children & Families

OFFICE OF COMMUNITY SERVICES

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### CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988: 45 CFR Part 76, Subpart, F. Sections 76.630(c) and (d)(2) and 76.645(a)(1) and (b) provide that a Federal agency may designate a central receipt point for STATE-WIDE AND STATE AGENCY-WIDE certifications, and for notification of criminal drug convictions. For the Department of Health and Human Services, the central point is: Division of Grants Management and Oversight, Office of Management and Acquisition, Department of Health and Human Services, Room 517-D, 200 Independence Avenue, SW Washington, DC 20201.

#### Certification Regarding Drug-Free Workplace Requirements (Instructions for Certification)

1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification set out below.
2. The certification set out below is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, the agency, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
3. For grantees other than individuals, Alternate I applies.
4. For grantees who are individuals, Alternate II applies.
5. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known workplaces constitutes a violation of the grantee's drug-free workplace requirements.
6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio studios).
7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph five).
8. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees' attention is called, in particular, to the following definitions from these rules:

*Controlled substance* means a controlled substance in Schedules I through V of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308.11 through 1308.15);

*Conviction* means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State



criminal drug statutes;

*Criminal drug statute* means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

*Employee* means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All direct charge employees; (ii) All indirect charge employees unless their impact or involvement is insignificant to the performance of the grant; and, (iii) Temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces).

Certification Regarding Drug-Free Workplace Requirements  
Alternate I. (Grantees Other Than Individuals)

The grantee certifies that it will or will continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
  - (b) Establishing an ongoing drug-free awareness program to inform employees about --
    - (1) The dangers of drug abuse in the workplace;
    - (2) The grantee's policy of maintaining a drug-free workplace;
    - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
    - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
  - (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
  - (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will --
    - (1) Abide by the terms of the statement; and
    - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
  - (e) Notifying the agency in writing, within ten calendar days after receiving notice under paragraph (d) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
  - (f) Taking one of the following actions, within 30 calendar days of receiving notice under paragraph (d) (2), with respect to any employee who is so convicted --
    - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
    - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
  - (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).
- (B) The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Division of Fiscal Management  
Iowa Dept. of Human Services  
Hoover State Office Bldg., 1<sup>st</sup> Flr  
Des Moines, IA 50319-0114

Check if there are workplaces on file that are not identified here.  
Alternate II. (Grantees Who Are Individuals)

(a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;

(b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to every grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

[55 FR 21690, 21702, May 25, 1990]

Michael. Claassen  
Signature  
Deputy Director for Administration  
Title  
Department of Human Services  
Organization



*U.S. Department of Health & Human Services***Administration for Children & Families****OFFICE OF COMMUNITY SERVICES****Increasing the Capacity of Individuals, Families and Communities****CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE**

Public Law 103227, Part C Environmental Tobacco Smoke, also known as the Pro Children Act of 1994, requires that smoking not be permitted in any portion of any indoor routinely owned or leased or contracted for by an entity and used routinely or regularly for provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1000 per day and/or the imposition of an administrative compliance order on the responsible entity by signing and submitting this application the applicant/grantee certifies that it will comply with the requirements of the Act.

The applicant/grantee further agrees that it will require the language of this certification be included in any subawards which contain provisions for the children's services and that all subgrantees shall certify accordingly.

Signature

Title

Organization

## Administration for Children &amp; Families

OFFICE OF COMMUNITY SERVICES

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**CERTIFICATION REGARDING LOBBYING**

## Certification for Contracts, Grants, Loans, and Cooperative Agreements

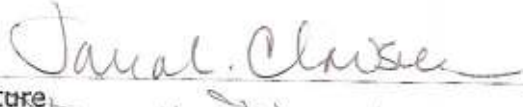
The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

## Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

  
Signature \_\_\_\_\_  
Title Deputy Director  
DHHS  
Organization \_\_\_\_\_



## Administration for Children & Families

OFFICE OF COMMUNITY SERVICES

Increasing the Capacity of Individuals, Families and Communities

### **CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS**

Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions

#### Instructions for Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent



person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

#### Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;

(b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

#### Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transactions Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.

4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, [[Page 33043]] should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that



the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

#### Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transactions

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Signature

Title

Organization

*Janet. Clavien*

*Deputy Director*

*DHB*